

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: _____ DATE FILED: 8/10/2024
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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CITY OF NEW YORK,	:	
	:	
Plaintiff,	:	1:24-cv-5161-GHW-JW
	:	
-v-	:	<u>ORDER</u>
	:	
ENVIROMD GROUP LLC, <i>et al.</i> ,	:	
	:	
Defendants.	:	
	:	
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GREGORY H. WOODS, United States District Judge:		

By letter dated August 9, 2024, Plaintiff moves to amend the complaint, set a revised schedule for Defendants' anticipated motions to dismiss, and file an amended motion for preliminary injunction. Dkt. No. 54. Plaintiff's motion is granted in part and denied in part.

Plaintiff's request for leave to amend the complaint is granted. Plaintiff is directed to file its amended complaint by no later than August 21, 2024.

Plaintiff's request for a revised briefing schedule for Defendants' anticipated motions to dismiss is denied. The Court previously granted certain Defendants leave to move to dismiss the current operative complaint, but not Plaintiff's anticipated amended complaint. Dkt. No. 53. Pursuant to Federal Rule of Civil Procedure 15(a)(3), the deadline for Defendants to answer or otherwise respond to the amended complaint is 21 days after the date of service of the amended complaint. Any pre-motion letter requesting leave to file a dispositive motion should comply with the Court's Individual Rules of Practice in Civil Cases.

The Court also previously directed supplemental briefing for Plaintiff's motion for preliminary injunction, which was filed before the state court before this case was removed. Dkt. No. 53. Plaintiff represents that, "[i]n connection with amending the complaint, the City would also file a renewed motion for preliminary injunction." Dkt. No. 54. The Court takes this as a request


for leave to file a renewed motion for preliminary injunction. This request is granted, and the Court considers Plaintiff's prior motion for preliminary injunction to be withdrawn. Plaintiff is directed to file its amended motion for preliminary injunction by no later than August 21, 2024. Any opposition(s) filed by any Defendant(s) are due within twenty-one days after service of Plaintiff's motion; Plaintiff's replies, if any, are due within seven days after service of Defendants' opposition(s).

Plaintiff is directed to serve a copy of this order on all defendants who are not represented by counsel in this action and to retain proof of service.

The Clerk of Court is directed to terminate the motion pending at Dkt. No. 54.

SO ORDERED.

Dated: August 10, 2024  
New York, New York

  
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GREGORY H. WOODS  
United States District Judge